

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, OCTOBER 18, 2016**

MEMBERS PRESENT: Paula Caron, Chair
John DiPasquale
Mike DiPietro
Paul Fontaine, Jr.
Mike Hurley
Kristin Sweeney
Andrew Van Hazinga
Laura O'Kane (Assoc. Member)

PLANNING OFFICE: Mike O'Hara

Call to Order

Meeting called to order at 6:04 p.m. at Fitchburg State University, Hammond Hall, Room S-08.

Meeting Minutes

Minutes of the August 16th & September 20th meetings were approved with minor corrections.

MINOR SITE PLAN REVIEW

None.

PUBLIC HEARINGS

Site Plan Review, Research Results, 9,000 sq. ft. office bldg., 915 South St. (cont'd from 9/20/16)
John Zarrella of Research Results & Jamie Rheault, Whitman & Bingham presented plan revised 10/11/16. Changes from plan reviewed at last month's meeting: Driveway closer to Wanoosnoc/South intersection eliminated & replaced w/ green space, walkway & patio added to South St. side of building to improve the appearance of the building from the travelled way, six-foot high white vinyl fence provided along property line adjacent to 361 Wanoosnoc Rd.

Motion made & seconded & seconded to close hearing. Vote in favor.

Motion made & seconded to Approve Site Plan.

Vote 7-0 in favor.

Mr. Fontaine, Jr. recused himself from the meeting & left the room for the following item.

Present: Caron, DiPasquale, DiPietro, Hurley, Sweeney, Van Hazinga, O'Kane (Assoc. Member)

Special Permit & Site Plan Review – Mixed-use Planned Residential Development, 579 South St., Gionet (postponed from 9/20/16)

Present: Caron, DiPasquale, DiPietro, Hurley, Sweeney, Van Hazinga, O'Kane (Assoc. Member)

Mark Gionet & Bill Hannigan, Hannigan Engineering present.

Mr. DiPasquale & Ms. O'Kane had each filed a "Mullin Rule" form under MGL c. 39, s. 23D stating that they had each missed one session of the public hearing on the Gionet application, that they had reviewed the record and thus, were able to participate on the matter.

Bill recapped latest plan submitted, revised 9/14/16. Still 20 apartments in one building, and a 4,500 sq. ft. medical office, could be either a single office or divided into several users. Between the apartment building & Ashley Ridge there will be a 2-foot high berm and a 6-foot high fence extending back to alongside the stormwater basin. White Pines planted 10-foot o.c. on the berm are intended to be long-term screening. A landscaped buffer will be provided on southerly side of site.

Ms. Caron suggested shrubs to the north side of site on top of the slope, adjacent to Ashley Ridge.

Hannigan: That side already screened with Ashley Ridge's fence. Ms. Caron: Fence is deteriorated.

Other members: Why screen the abutter property's screening. Ms. Caron suggested beef up screening near entrance.

Agreed: Applicant to provide landscaping plan to enhance the South Street entrance prior to construction. Need not go all the way down the adjacent property line.

Sewer- There will be an ejector pump out to South St. Play area to be provided behind apartment bldg. - bocce court, etc.

Q: # units ? 20 units, no change since last hearing.

Mr. DiPasquale still concerned with sight distance at site driveway because he can't see that it is adequate now.

Bill H: It was shown on the Vanasse Assocs. plan. Sight distance of min. 335 feet to be provided when the vegetation is removed.

Public Comment:

Rich Blacquier, 593 South St.: At previous meetings (April?) it had been stated that there would be a berm, landscaping & fence adjacent to his property.

Hannigan disputed that's what happened. They did not show those items on the submitted plan.

But they will be providing landscaping as screening all along that property line.

Agreed: On southerly side of site they will install a vinyl fence on top of the banking from the front corner of apartment building to the front of the office building, and then a staggered row of white pines.

Ashley Ridge abutter had questions about wetlands. They will go back to ConCom for another public hearing after the Planning Board approval.

Holly Burneau concerned about traffic and increase in accidents and damage from blasting.

Linda Rameau read from materials that she had compiled. The development will adversely affect the property values & privacy. Bus stop for children? Yes, there will be an area where children could wait for bus.

Snow storage? Some areas for snow storage will be provided on site, but snow will be removed from site if extreme snowfall.

Concern raised about blasting & who is responsible for damage.

If there is blasting there will need to be a pre-blast survey and blasting will be governed by state regulations and administered by the Fire Dept.

Q about soil conditions. There are some rock outcrops.

Beth Holland; mix of unit types? It will be 15 2-BR and 5 1-BR units.

Mr. DiPietro: Will it remain rentals and not condos? Yes.

Motion made (Mr. Van Hazinga) & seconded (Mr. DiPietro) & seconded to close hearing. Vote in favor.

Andy had concerns with the first plans but the applicant has made efforts to provide privacy on both northern & southerly sides.

Motion made (Mr. Van Hazinga) & seconded (Mr. Hurley) to Approve a Special Permit & Site Plan Approval, subject to conditions:

- Sight distance to be provided per Vanasse Associates plan. No certificate of occupancy to be applied for until verified in field that the min. req'd site distance has been met.
- Applicant will be responsible for continued maintenance of sight distance from site driveway, including snow removal on sidewalk as necessary
- Development NTE 20 residential rental units.
- Two parking spaces per unit to be provided.

- Applicant to provide landscaping plan to enhance the South Street entrance prior to construction. Need not go all the way down the adjacent property line.
- On southerly side of site install a vinyl fence on top of the banking from the front corner of apartment building to the front of the office building, and then a staggered row of white pines.
- Office building professional office only - no retail sales.
- Site lighting to be dark-sky compliant.

Vote 6-1 in favor (Mr. DiPietro against).

Mr. Fontaine, Jr. returned to the meeting.

Site Plan Review, Moses, 5,600 sq. ft. office bldg., 960 South St. (postponed from 9/20/16)

Steve Moses (applicant) & Jamie Rheault, Whitman & Bingham presented plan.

Existing bldg. will be demolished & proposed 5,600 sq. ft. two-story office building built. Medical offices on 1st floor. 2nd floor: Tenant & use TBD. 3rd floor is unusable space. 17 parking spaces provided w/ driveway off South St. provided.

Impervious area will decrease by 2,300 sq. ft. compared to existing conditions. New deep sump CBs to be installed in parking area.

Mr. DiPasquale: Why not re-orient beg. & have access via Rockdale St.? Traffic is often backed up on South St. past existing driveway on this site. Several Board members agreed.

Jamie: Developer doesn't want traffic cutting thru site from Rockdale, and doesn't want patrons of bar across street using this lot.

Proposed building as submitted has an 8-foot setback from South Street right-of-way line.

Bldg. Commissioner has raised issue of 20-foot sight distance triangle requirement at intersection, but this only applies to landscaping. Bldg. could be setback further from intersection for better sight distance, & eliminate one parking space off Rockdale. Jamie showed alternative plan with building pushed back an additional 8 feet from street, front wall 14 feet from South St. layout line.

Consensus: Board prefers this setback for better sight distance.

Architectural renderings dated 10/16/16 shown to the Board. Main entry to building will be on north (parking area) side of bldg. Color of bldg.? Steve Moses: Planning to have light-colored clapboard, colonial style bldg.

Motion made & seconded & seconded to close hearing. Vote in favor.

Motion made & seconded to Approve Site Plan, subject to conditions:

- Only 1st & 2nd floors to be finished.
- Door or larger decorative window to be provided on South St. façade.
- Building to be setback 14 from the South St. property line.
- Freestanding sign & its location to be subject to Planning Board review & approval

Vote 7-0 in favor.

Jamie with make revisions to plan and submit for future Planning Board meeting.

Special Permit & Site Plan Review - CAS Foundation, Medical Marijuana cultivation/processing (MMM), One Oak Hill Road

Atty. James Moriarty submitted supplemental application info dated 10/19/16, including CAS's Provisional Certificate of Registration from Mass DPH & draft Host Community Agreement with the City.

CAS will be using two floors of the former Anwelt Shoe building, 35,000 sq. ft. on each floor, for MMM.

Cal Goldsmith, GPR Engineering reviewed site plan. Two loading docks at rear of building, one on west side will be large enough for 33-foot truck. Not a security issue there since it won't be used for shipping MMJ. Dock #2 will have an enclosure large enough for a small van, not visible from the street. This will be used for processed Cannabis shipped to their dispensaries in Cambridge, Somerville and a 3rd location TBD.

Twenty employees per shift to start and plan to expand in future years. There will be local preference for hiring. Parking: 253 existing spaces for Bldgs. 4 & 5. All dumpsters will be screened w/ white vinyl fence.

The MMM facility cannot afford power outages for long periods. There will be two portable emergency generators at the rear of the bldg. on a temporary basis. New transformer pads for each bldg.

All dumpster locations will be screened.

Cal explained drainage problem at bottom of Oak Hill Rd. They can't have water going into bldg. Stormwater from roof will be going into storm system. Grate will be installed at bottom of rear driveway to intercept overflow from street runoff. Clean storm water from roof will be going into stormwater system via new connection and to Nashua R. at existing outfall.

Bruce Hampton, architect presented bldg. plans. Will use existing solar panels. Geothermal on site is used only for cooling, not a power generator. Bldg. will still need emergency power.

In interior courtyard several trees will be removed to accommodate external CO2 tank for the grow facility. Some trees will be replanted in tree grates where possible. Access through courtyard gates will be by key card.

John Grennon of Lan-Tel Communications went over security plans. CAS Foundation has told him, whatever Mass DPH requires for security, double it. There will be 90 security cameras inside & outside. They will provide 100% video coverage of interior and exterior of building. Video will be saved for 90 days, longer than the min. 30 days req'd by Mass DPH.

Tyler Richards from Revolution Growers, LLC (landlord): One Oak Hill Rd. building is split onto two condos, Anwelt Senior Housing & the remainder of the building.

Bert Vining, CAS Foundation held a community meeting in the Anwelt Heritage Apts. Fri. Oct 14th w/ 50 attending. Few residents objected. Residents will be able to use the outdoor community garden on the site.

Cal Goldsmith: Waivers requested from 300-foot setback requirement in the MMM Ordinance:

- 250 feet from nearest part of MMM facility to Anwelt Senior Housing
- 147 feet to residential uses on Fairmount St.

According to standards in the MMM Ordinance, Board needs to determine that there will be sufficient security measures in place, and that there are no other locations suitable for the applicant.

Bert: The security measure to be used have been previously discussed. This building at Oak Hill Rd. with its geothermal power and solar power capacity is the only building in Fitchburg that would work for them.

Discussion on the 1st floor windows at building which have been boarded up w/ plywood and painted green. Bert and Tyler Richards: Securing the 1st floor windows are necessary in order to meet the security requirements of Mass DPH. The Board objects to the look of the boarded-up windows and asked them to look at other ways securing the building.

Motion made & seconded to close hearing. Vote in favor. 9:50 p.m.

Motion made (Mr. Fontaine) & seconded (Mr. Hurley) to approve the Special Permit & Site Plan along with the determination that the standards for granting waivers of the 300-foot setback from the residential use.

Conditions:

- Host Community Agreement to be a part of the Special Permit conditions.
- Repair wooden fence on the south Side of site, abutting properties on Fairmount St.
- Boarded-up windows on 1st floor are acceptable as a temporary measure solution to meet security requirements, however applicant will work w/ architect to come up with a more architecturally pleasing solution for the Board's review & approval w/in 18 months of the effective date of this Special Permit.

Vote 7-0 in favor.

Ms. Caron recused herself from the meeting & left the room for the following item.

Proposed Zoning Map Amendment - Bemis Rd., Westerly side from Water St. to Duck Mill Rd.
Proposed change from Industrial to CBD on approx. 12 parcels on the westerly side of Bemis Rd. from Water St. to Duck Mill Rd. Opposite side of Bemis Rd. is in Neighborhood Business district.

Hearing opened. Comments:

Ms. Schultz, 34 Bemis Rd. is in favor, but was advised that if property switched to a conforming business use it cannot revert back to the former, non-conforming contractors yard use.

A resident on Bemis Rd. Rear asked how this would affect his house. It's pre-existing, non-conforming now and will continue to be if zoned CBD, so no effect on it.

Motion made & seconded to close hearing. Vote in favor.

Motion made (Mr. Fontaine) & seconded (Mr. Van Hazinga) to recommend in favor of the proposed amendment. Vote 7-0 in favor.

Ms. Caron returned to the meeting.

Proposed Zoning Ordinance Amendment - add "Renewable Energy" in definition of "Manufacturing"
Purpose of amendment was to amend several definitions of "manufacturing" to include manufacturing of renewable energy, in order to help the City qualify for "Green Community" designation.

Hearing opened. Public comments: None.

Motion made & seconded to close hearing. Vote in favor.

Motion made & seconded to recommend in favor of the proposed amendment. Vote 7-0 in favor.

OTHER BUSINESS

Unified Petroleum, 249 Kimball St. - plan revisions per Planning Bd. conditions

Board reviewed changes suggest at public hearing. It was noticed that the signs at driveway nearest intersection may be directing the wrong way. Will check w/ Pat McCarty.

ANR plans

Galaxy Development

Splitting parcel into a conforming Lot 1 w/ 12,563 sq. ft. lot w/ dwelling, and a conforming vacant Lot 2 w/ 25,577 sq. ft. The Board endorsed the plan.

Meeting adjourned: 10:35 p.m.

Next meeting: 11/15/16

Minutes approved: 11/15/16